REMARKS

Applicant submits that the present amendment is fully responsive to the Office Action dated October 13, 2006 and, thus, the application is in condition for allowance.

By this reply, claims 3 and 8 are amended. Claims 1-12 and 14-20 remain pending. Of these, claims 1, 6, 11, 16, 18, and 20 are independent. An expedited review and allowance of the application is respectfully requested.

In the outstanding Office Action, claims 1-5 and 11-19 were provisionally rejected on the ground of non-statutory obviousness-type double patenting over claims 1-18 of co-pending application no. 10/685,614. Although the co-pending claims are not identical, it is alleged that they are not patentably distinct from each other for a number of stated reasons. Although not necessarily agreeing with the assessment of the office action, for sake of expediting of the prosecution of the applications, a terminal disclaimer will be filed upon the allowance of one or more of the pending claims.

In the outstanding Office Action, claims 3 and 8 were rejected under 35 U.S.C. § 112, second paragraph reciting claims having the language "the intelligent peripheral" without proper antecedent basis. Applicant respectfully traverses.

However, for sake of expediting the prosecution of the application, claims 3 and 8 have been amended to more properly present antecedent basis for the language of question. Thus, the rejection should be withdrawn and application allowed to proceed to issue.

In the outstanding Office Action, claims 1, 3, 6, 8, 11, 16 and 18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Stewart (USPN 5,606,727) in view of Moton (US Pat. Pub. No. 2006/0029209). It is asserted that Stewart discloses a method and system with all of the limitations of the present invention as recited in the claims, but for converting the location

information to voice information; and announcing the information. It is further alleged that Moton does disclose these deficiencies and the combination of these cited references would have therefore been obvious to one having ordinary skill in the art. Applicant respectfully traverses.

Neither Stewart nor Moton, nor any other related art of record, alone or in combination, disclose or fairly suggest the present invention as recited in the pending claims. Nor would it have been obvious to one of ordinary skill in the art at the time the invention was made to combine the references as asserted by the examiner. Moton discloses a simple voice caller ID. The information is merely a voice transmission of the information routinely presented in conventional digital caller ID devices. See Moton, figure 3 and elsewhere. Indeed, such info is static and does not change or differ no matter where the caller is calling from nor where the called party is located.

In contrast, claims 1, 6, 11, 16 and 18 recite, among other things, converting location information into voice information. The information is not merely retrieved from a pre-existing location, it is created "on the fly" based on the location information. What this means is that depending on the actual physical location of the caller or called party, the voice transmission will be specific to the physical location announcement of that party. Moton in no way discloses or even suggests this ability. Thus the combination of Stewart and Moton does not teach all the limitations of claims 1, 6, 11, 16 and 18 as presently presented.

In addition, it would not have been obvious to one of ordinary skill in the art to combine the teachings of Stewart and Moton because Stewart teaches away from the combination. Prior art must be considered in its entirety, including disclosures that teach away from the claims. See MPEP § 2141.03. In this case, Stewart teaches away from the combination. Stewart teaches the disadvantages of placing calls and teaches a method to solve the problem of placing calls for the

purpose of determining location. See Stewart, col. 1, lines 28 – 33. Because Stewart teaches away from forming a connection between the calling party and the called party, it would not have been obvious to one of ordinary skill in the art to combine Stewart and Moton to arrive at claim 1 as presently amended.

With respect to claims 3 and 8, because these claims depend on claims 1 and 6, they also therefore cannot be obviated for at least the reasons set forth above.

In the outstanding Office Action, claims 2, 7 and 12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Stewart in view of Moton, and further in view of Saha (US Pat. No. 6,198,935). With respect to these claims, it is asserted that Stewart discloses a method and system with all of the limitations of the present invention as recited in the claims, but do not teach obtaining the location information from a Gateway Mobile Location Center (GMLC). It is further alleged that Saha does disclose this deficiency and the combination of these cited references would have therefore been obvious to one having ordinary skill in the art. Applicant respectfully traverses.

Neither Stewart nor Moton nor Saha, nor any other related art of record, alone or in combination, disclose or fairly suggest the present invention as recited in the pending claims. In particular, Saha does not teach obtaining location information for a called party during establishment of a call to the called party as discussed above. In other words, Saha cannot cure the deficiencies in Stewart and Moton in attempting to obviate the present invention as recite din the pending claims.

Stewart, at best, teaches a method by which an individual can obtain the location of a user of a portable telephone without disturbing the user by requiring them to answer a call. See Stewart, col. 3, lines 34 – 38. A person of ordinary skill in the art, upon reading the teachings of

Stewart, would understand that establishing a call between the two parties would be a disadvantage, not an advantage. For this reason, the person of ordinary skill in the art would not be motivated to combine Stewart with a reference which teaches establishing a call between two parties. Thus it would not have been obvious to one of ordinary skill in the art at the time the invention was made to combine Stewart and Smith.

In the outstanding Office Action, claims 4, 5, 9, 10, 14, 15, 17, 19 and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Stewart and Moton in view of Park (US Pat. No. 6,434,126). It is asserted that Smith discloses a method and system with all of the limitations of the present invention as recited in the claims, but for the steps of obtaining name information, converting the name information into voice, and announcing the voice information. It is further alleged that Park does disclose these deficiencies and the combination of these cited references would have therefore been obvious to one having ordinary skill in the art. Applicant respectfully traverses.

Neither Stewart nor Moton nor Park, nor any other related art of record, alone or in combination, disclose or fairly suggest the present invention as recited in the pending claims. Nor would it have been obvious to one of ordinary skill in the art at the time the invention was made to combine the references as asserted by the examiner. For the reasons given above, Stewart does not teach all the limitations of the cited claims. Neither Moton nor Park teaches the step of forming a connection between the calling party and the called party and relaying location information for the reasons given above.

None of the other art of record, cited but not relied upon, alone or in combination, recite, teach or fairly suggest inventions as recited in the pending claims. Thus, the rejections should be withdrawn and the application allowed to proceed to issue.

Attorney Docket No.: CING-127 **PATENT**
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A THREE (3) month extension of time is hereby requested to enter this amendment. PTO- 2038 form is included with an authorization to charge the three month extension fee to a credit card. If any other fees are associated with the entering and consideration of this amendment, please charge such fees to our Deposit Account 50-2882.

Applicant respectfully requests an interview with the Examiner to present more evidence of the unique attributes of the present invention in person. As all of the outstanding rejections have been traversed and all of the claims are believed to be in condition for allowance, Applicant respectfully requests issuance of a Notice of Allowance. If the undersigned attorney can assist in any matters regarding examination of this application, Examiner is encouraged to call at the number listed below.

Respectfully submitted,

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